

**REGULAR MEETING
CITY COUNCIL
November 2, 2006**

ROLL CALL:

MR. WOJCIK, MR. MCGRATH, MR. RYAN, MR. DUNNE , MR. KROGH, MRS. COLLIER, MR. CAMPANA, MS. MAHAR
DERGURAHIAN, PRESIDENT BAUER

ABSENT:

Ordinance No. 1 **Date** November 2, 2006
Introduced by Council Member Bauer
At the request of Administration **Seconded by** Collier

ORD. #1

**ORDINANCE AMENDING THE 2006 CITY BUDGET TO TRANSFER FUNDS WITHIN THE GENERAL,
WATER, AND SEWER FUNDS BUDGET LINES**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy 2006 budget is herein amended as set forth in Schedule A entitled:

November 2006 Budget Amendment

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form,

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 11-06-06 for Executive Action – Approved, returned 11-06-06

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 2 Date November 2, 2006
 Introduced by Council Member Bauer
 At the request of Administration Seconded by DerGurahian

ORD. #2

**ORDINANCE AMENDING THE 2006 WATER FUND BUDGET TO ACCEPT \$8643.00 IN
 FEMA/SEMA FUNDS FOR THE PURPOSE OF INSTALLING A NEW WATERLINE
 REPLACEMENT AT THE CITY'S MARINA**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy 2006 water fund budget is herein amended as set forth in Schedule A entitled:

Budget Amendment – Marina Waterline Replacement

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form,

 David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 11-06-06 for Executive Action – Approved, returned 11-06-06

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 3 Date November 2, 2006
 Introduced by Council Member Bauer
 At the request of Administration Seconded by McGrath

ORD. #3

**ORDINANCE AMENDING THE 2006 CITY BUDGET
 TO INCREASE WEED AND SEED FUNDS AND ALLOCATIONS AS
 PER "2006-2007 WEED AND SEED GRANT AWARD"**

The City of Troy, convened in city Council, ordains as follows:

Section 1. The 2006 City Budget is hereby amended to provide for the increase in Weed and Seed funds as provided in Schedule "A" entitled:

"Weed and Seed Budget Amendment"

which is attached hereto and made a part hereof.

Section 2. This act shall take effect immediately.

Approved as to form, October 19, 2006

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 11-06-06 for Executive Action – Approved, returned 11-06-06

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Resolution No. 1 **Date** November 2, 2006
Introduced by Council Member Bauer
At the request of _____ **Seconded by** Krogh

RES. # 1

**RESOLUTION APPOINTING KELLY MOSCATIELLO TO
THE POSITION OF CITY OF TROY AUDITOR**

WHEREAS, City Charter C-63 establishes the authority for the City Council to appoint a City Auditor, and

WHEREAS, there is currently a vacancy in the position of City Auditor, and

WHEREAS, the City Council of the City of Troy desires to appoint Ms. Kelly Moscatiello to the position of City Auditor.

NOW THEREFORE BE IT RESOLVED, pursuant to City Charter Section C-63, the City Council hereby appoints Kelly Moscatiello to the position of City Auditor for an indefinite term.

Approved as to form, October 19, 2006

David B. Mitchell, Corporation Counsel

Resolution ADOPTED by the following vote:

Ayes: 5

Noes: 4

Abstain: 0

Sent to the Mayor 11-06-06 for Executive Action – Approved, returned 11-06-06

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Resolution No.	<u>2</u>	Date	<u>November 2, 2006</u>
Introduced by Council Member	<u>Bauer</u>		
At the request of	<u>Administration</u>	Seconded by	<u></u>
Motion to Amend by Council Member	<u>Collier</u>	Seconded by	<u>Krogh</u>

RES. # 2

RESOLUTION APPOINTING COMMISSIONER OF DEEDS

BE IT RESOLVED, that the City Council hereby appoints the following persons, as identified in Schedule “A”, attached hereto and made a part hereof, Commissioners of Deeds for the City of Troy for the terms identified in Schedule “A”.

Approved as to form, October 19, 2006

David B. Mitchell, Corporation Counsel

Motion to AMEND Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Resolution ADOPTED by the following vote:

Ayes: 8

Noes: 0

Abstain: 1 - Dunne

Sent to the Mayor 11-06-06 for Executive Action – Approved, returned 11-06-06

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Resolution No. 3 **Date** November 2, 2006
Introduced at the request of Administration **Seconded by** McGrath, Campana

RES. # 3

RESOLUTION AUTHORIZING MAYOR TUTUNJIAN TO DEDICATE LANDS WITHIN THE RIVERFRONT PARK TO BE USED AS A MEMORIAL COMMEMORATING RENSSELAER COUNTY WORLD WAR II VETERANS

WHEREAS, many Rensselaer County residents served honorably in the armed forces during World War II in an effort to free the world of tyranny and to protect and ensure the freedom we enjoy today, and

WHEREAS, the lives a many Rensselaer County residents were lost fighting tyranny and in support of freedom and our American way of life, and

WHEREAS, Mayor Harry Tutunjian and the City of Troy would like to honor those who served during World War II and gave the ultimate sacrifice fighting for Freedom, and

WHEREAS, Mayor Tutunjian and the World War II Memorial Committee of Rensselaer County have discussed and agreed- in concept- to the placement of a World War II Memorial in Riverfront Park.

NOW THEREFORE BE IT RESOLVED, that the city council hereby authorizes the Mayor to dedicate lands within the Riverfront Park to be used for the placement of a Memorial Commemorating Rensselaer County World War II Veterans.

Approved as to form, October 19, 2006

 David B. Mitchell, Corporation Counsel

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 11-06-06 for Executive Action – Approved, returned 11-06-06

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Resolution No. 4 - WITHDRAWN **Date** November 2, 2006
Introduced by Council Member DerGurahian
At the request of _____ **Seconded by** _____

WITHDRAWN**RES. # 4****RESOLUTION AUTHORIZING THE CITY COMPTROLLER TO COMPENSATE FORMER CITY AUDITOR CHARLES DROZD FOR VACATION ACCRUALS AND LONGEVITY PAY FOR 2006**

WHEREAS, on Wednesday September 20, 2006, the City Council of the City of Troy convened into executive session wherein they voted 8-0 to terminate the employment of City Auditor Charles Drozd for Cause, and

WHEREAS, the Non-Represented Employees Personnel Employment Policy (NREPEP) prescribes when and if a former employee is eligible to be compensated for accrued vacation time when he/she leaves the employ of the City of Troy, by way of termination or resignation, and

WHEREAS, the NREPEP provides an entitlement to compensation for a former employee for unused vacation time in a limited number of circumstances, and

WHEREAS, the NREPEP does not authorize the City Comptroller to compensate a former employee for unused vacation time or longevity pay when the employee is separated from the City for disciplinary reasons, and

WHEREAS, Council Member Marjorie DerGurahian has requested that the City compensate Charles Drozd for accrued vacation time and longevity pay for 2006, and

WHEREAS, this resolution would override the current Non-Represented Employees Personnel Employment Policy for this specific employment case and shall not be construed to authorize payment of compensation in any other employee matter.

NOW THEREFORE BE IT RESOLVED, that the City Council hereby authorizes the City Comptroller to compensate former City Auditor Charles Drozd for up to 30 days of accrued vacation time in addition to longevity pay for 2006. This deviation from the current Non-Represented Employees Personnel Employment Policy shall apply only in this case.

Approved as to form, October 27, 2006

David B. Mitchell, Corporation Counsel

Resolution WITHDRAWN

Motion to adjourn by Krogh with a Moment of Silence in Honor of Veterans

Meeting adjourned at 8:05pm.